

THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.5344 of 2006

Dt.18.3.2006

Between:

B.Srinivasulu Reddy ... Petitioner

And

Mandal Revenue Officer,

Moinabad Mandal,

Ranga Reddy District and another

...Respondents

ORDER:

The petitioner questions the order made by the Mandal Revenue Officer, Moinabad Mandal, Ranga Reddy District, in proceedings No.B/420/2005, dt.29.10.2005.

It is the case of the petitioner that he purchased an extent of Ac.3.20 in Sy.No.632 situate at Chilkur Village, from one B.Chidanandudu who purchased the same from the original assignee, Kadigalla Venkaiah under two sale deeds dated 14.5.1986 (document

No.3554/1986) and sale deed dated 22.6.1987 (document No.5137/1987) and the sale deed dated 22.6.1987 was modified by a registered rectification deed dated 7.7.1987 (registered document No.5524/1987) from the office of the Sub Registrar-II, Ranga Reddy District. It is stated that the Mandal Revenue Officer by the impugned order directed the 2nd respondent to take over possession of the said land under the custody of the Government in exercise of powers under Section 4(1) of the A.P. Assigned Lands (Prohibition of Transfer) Act, 1977 (for short 'the Act').

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

A perusal of the impugned order passed by the first respondent goes to show that notice in Form-I under Rule 3 of the A.P.Assigned Lands (Prohibition of Transfer) Rules has been issued calling upon the petitioner to file explanation as the purchase of the said assigned land is in contravention of provisions of sub-section (1) and (2) of Section 3 of the Act. The order goes to show that though notice was served on the concerned through their servants on the spot, no explanation has been filed even after giving sufficient time and therefore resumption order has been passed in respect of the said land.

Admittedly, as against the said order, appeal lies to the Revenue Divisional Officer under Section 4-A of the Act. It is further stated that the assignment of the said land was made during 1963-64 under the Loani Rules, 1950. If that be so, there is prohibition of transfer of the said lands.

In view of the aforesaid facts and circumstances of the case, I am not inclined to admit the writ petition. The writ petition is accordingly dismissed.

V.ESWARAIAH, J.

18.3.2006

kpr